



May 1, 2007

## **H.R. 487 - Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2007**

### **Floor Situation**

H.R. 487 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Stephanie Herseth (D-SD) on January 16, 2007 and was referred to the Committee on Natural Resources. It was reported from the Committee by unanimous consent on May 2, 2007.

H.R. 487 is expected to be considered on the floor on April 24, 2007.

*\*Note: During the 109<sup>th</sup> Congress, Rep. Stephanie Herseth (D-SD) introduced similar legislation, H.R. 3558, the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2005. The legislation was referred to Committee on Resources, but was not considered.*

### **Summary**

H.R. 487 amends Public Law 106-144, the "Cheyenne River Sioux Tribe Equitable Compensation Act", which was signed into law on November 13, 2000 by President Clinton. This legislation set in place a trust fund to compensate the Cheyenne River South Tribe for land that was taken for the Oahe Dam. This legislation changes the timetables used for the distribution of funds and allows the money to be given directly to a landowner, rather than the entire tribe.

### **Background**

The Federal Government acquired 104,492 acres of land from the Tribe in 1944 in order to begin work on projects contained in the "Flood Control Act of 1944." This land was then used to build the Oahe Dam and Reservoir in South Dakota. As a result of the building of the dam and reservoir much of the tribes land was flooded and destroyed.

Public Law 106-144 set up a trust fund that was to be used to pay out the roughly \$291 million dollars the government owes the tribe. This money would have been deposited in one lump sum in 2012 and include interest as if the money had been deposited in 2002. H.R. 487 will begin transferring funds into the account beginning in fiscal year 2008.

The money deposited will act as interest and be available for the tribe and landowners for projects immediately, rather than later down the road.

H.R. 487 also allows landowners directly affected by the Oahe Dam project to claim these funds. Originally the funds were intended for use solely for any tribe related projects.

**Cost**

The Congressional Budget Office (CBO) estimates that enacting H.R. 487 would increase direct spending by \$14 million in 2008 but would decrease direct spending by \$9 million over both the 2008-2012 and 2008-2017 periods. By changing the amount and timing of scheduled deposits to the affected tribal trust fund, CBO estimates that enacting H.R. 487 would result in \$434 million in direct spending over the next 10 years—\$9 million less than estimated under current law.

**Staff Contact**

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